

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

FAX COVER SHEET

TO	Commissioner for Patents
COMPANY	USPTO
FAX NUMBER	17033086459
FROM	Andy Arismendi
DATE	2003-08-18 15:41:56 GMT
RE	A/N: 09/269,518

COVER MESSAGE

Petition under 37 CFR 1.181 (no fee)

Attn: Paralegal Specialist: Nguyen Ngoc-Ho
Ph: 703-308-6508
57 pages (including fax coversheet)

RECEIVED

18 AUG 2003

Leydi Siqui
International Division

CERTIFICATE OF TAGS WITH TRANSMISSION
I hereby certify that this correspondence is being deposited in the United States Patent and
Trademark Office on this day of April 13, 2003, by *AMERICAN INNOVATION* to the Commissioner of
Patents, P.O. Box 1450, Alexandria, VA 22313-1450, for the execution of Examiner *THU NGUYEN* at
the telephone number (703) 308-9450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

David Peter Fenner et al.

APPLICATION NO.: 09/269,518

FILED: 02 April 1999

TITLE: Fan Rotor

GROUP ART UNIT: unknown

EXAMINER: unknown

ATTY. DKT. NO.: 34703.00006

Box PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR§ 1.181

Dear Sir:

In response to the Request for Status faxed 01 August 2003, referencing the above-identified matter, we received a response from Paralegal Specialist Nguyen Ngoc-Ho mailed 12 August 2003 (Exhibit 1). In said response, Mr. Ho has requested we file a Petition under 37 CFR 1.181 for acceptance of copies of all papers submitted on 30 March 2001 and on 15 June 2001, including evidence of receipt in the Office of these papers. Per telephone conference between Mr. Arismendi and Mr. Ho on 15 August 2003, Mr. Ho indicated that no fees would be due for filing such a petition.

Per such request, we hereby file this Petition for acceptance of true and accurate copies of all papers submitted on 30 March 2001 (Exhibit 2) and on 15 June 2001 (Exhibit 3), including evidence of receipt in the Office of these papers. Such copies are submitted herewith.

Respectfully submitted by,

Date: 18 August 2003

A.M. (Andy) Arismendi, Jr
Reg. No. 31,715

A.M. (Andy) Arismendi, Jr., PC
P.O. Box 35512
Houston, TX 77235-5512
Telephone: 713-256-3773
Facsimile: 281-754-4386

EXHIBIT 1

Response to Status Inquiry mailed 12 August 2003.



12 AUG 2003
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

A.M. Andy Arismendi, Jr.
Post Office Box 35512
Houston, Texas 77235-5512

Dear Mr. Arismendi:

This is in response to your letter received 01 August 2003 inquiring about the status of the Response to the Notification of Missing Requirements in U.S. patent application 09/269,518 filed by facsimile on 30 March 2001 and by "Express Mail" on 15 June 2001. A review of the application file indicates that both submissions mentioned above are not matched with the file at this time. Should prosecution of the application be desired, applicant should file a Petition under 37 CFR 1.181 for acceptance of copies of all the papers submitted on 30 March 2001 and on 15 June 2001, including evidence of receipt in the Office of these papers. The papers should be accompanied by a statement from the attorney that the copies submitted with the petition are true copies of what was filed and of the postcard as returned by the USPTO. The Petition may be filed by facsimile to the PCT Legal Office at (703) 308-6459.

Sincerely,

Nguyễn Ngọc-Hô
Paralegal Specialist
PCT Legal Office

Tel: (703) 308-6508

EXHIBIT 2

Papers submitted 30 March 2001 with Transmission Verification Report:

1. Transmission Verification Report
2. Fax Coversheet
3. Communication of 30 March 2001 to Lamont Hunter (National Stage Processing) with following attachments:
 - I. Notification of Missing Requirements mailed 01 June 1999
 - II. Response to Notice to File Missing Parts of Application (Express Mail EL 357 877 986 US).
 - A. Declaration & Power of Attorney
 - B. Statement Claiming Small Entity Status
 - C. Check for \$65.00
 - D. Return Postcard
 - III. Petition to Withdraw Holding of Abandonment with following attachments:
 - A. Notification of Missing Requirements mailed 01 June 1999
 - B. Notification of Defective Oath or Declaration mailed 01 June 1999
 - C. Response to Notice to File Missing Parts of Application (Express Mail EL 357 877 986 US).
 - D. Copy of Return Postcard
 - E. Copy of letter transferring case from Jenkens & Gilchrist to Mr. Arismendi
 - F. Notice of Abandonment
 - G. Copy of docket report printed 22 July 1999.
 - IV. Copy of return postcard for petition to withdraw holding of abandonment
 - V. Decision on Petition to Withdraw Holding of Abandonment
 - VI. Notification of Missing Requirements mailed 15 March 2001
 - VII. Revocation of Powers of Attorney and New Power of Attorney

TR/ MISSION VERIFICATION REPORT

TIME : 03/30/2001 16:30

DATE, TIME	03/30 16:16
FAX NO./NAME	17033053230
DURATION	00:14:27
PAGE(S)	44
RESULT	OK
MODE	STANDARD ECM

LUNDEEN & ARISMENDI, LLP
P.O. Box 131144
Houston, Texas 77219-1144
Phone: (713) 652-2555 Facsimile (713) 652-2556

F A C S I M I L E

DATE: March 30, 2001 **CLIENT/MATTER#** _____

DISPOSITION: Normal **TIME:** 3:15 pm
RUSH _____

NUMBER OF PAGES: (Including Cover Sheet): 45

FROM: A.M. (Andy) Arismendi, Jr.

TO: Lamont Hunter

THIS FACSIMILE TRANSMISSION MAY CONTAIN INFORMATION WHICH IS PRIVILEGED, OR OTHERWISE CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, USE, OR DISSEMINATION OF THIS INFORMATION IS IMPROPER AND PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, KINDLY CALL THE SENDER COLLECT TO ARRANGE FOR ITS RETURN.

FACSIMILE NUMBER CALLED: 703 305 3230

DOCUMENTS SENT: _____

ADDITIONAL MESSAGE OR COMMENTS: _____

FACSIMILE SENT BY: Susan B. Jensen

If you do not receive all pages or if pages are not legible,
please contact the above at (713) 652-2555.

CERTIFICATE OF FAX/EMAIL TRANSMISSION	
I hereby certify that this correspondence is being deposited in the United States Patent and Trademark Office on this date, March 30, 2004, by facsimile transmission to Lamont Hunter of the National Stage Processing department at facsimile number (713) 652-2556.	
Signature 	
Printed Name: Susan B. Jensen	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF**

David FENNER, et al.

APPLICATION NO.: 09/269,518

FILED: April 9, 1998

TITLE: Fan Rotor

GROUP ART UNIT: unknown

EXAMINER: unknown

ATTY. DKT. NO.: 34703.00006

Box PCT
Commissioner for Patents
Washington, D.C. 20231

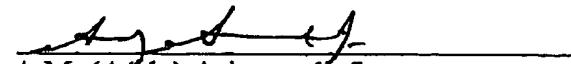
ATTN: National Stage Processing: Lamont Hunter

Dear Sir:

Per your telephone conversation with Susan Jensen of our office referencing the above-identified matter, enclosed are true and accurate copies of the Response to the Notification of Missing Requirements dated June 1, 1999, Petition to Withdraw Holding of Abandonment, Decision (Granted) on Petition to Withdraw Holding of Abandonment, the most recent Notification of Missing Requirements, and our Power of Attorney.

Should you have any questions or require additional information, please feel free to contact me at (713) 652-2555.

Respectfully submitted by,

Date: March 30, 2004
A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

A.M. (Andy) Arismendi, Jr.
Lundeen & Arismendi, LLP
P.O. Box 131144
Houston, TX 77219-1144
Telephone: 713-652-2555
Facsimile: 713-652-2556



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269, 518		FENNER	D 34703-00006
		INTERNATIONAL APPLICATION NO.	
		PCT/8897/02940	
		IA. FILING DATE	PRIORITY DATE
		10/27/97	10/03/96
		DATE MAILED: 06/01/99	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 09/26/1997 and _____

Information Disclosure Statement(s) filed _____ and _____

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917

Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

Andy Arismendi
Telephone: (703) 305-3686

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Fenner, et al.) Group Art Unit:
Application No. 09/296,518)
Filed: April 2, 1999)
Title: FAN ROTOR)
Attorney Docket No. 34703. 00006)

Examiner: (unassigned)

EL357877986US

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

**CERTIFICATE OF MAILING BY EXPRESS MAIL
UNDER 37 CFR 1.10**

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service, "EXPRESS MAIL" Mailing Label No. EL357877986US on the date indicated below and is addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: July 1, 1999

ALAN R. THIELE, Registration No. 30,694

Attorney or Agent


Signature

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

Sir:

This reply is to a Notification of Missing Requirements under 35 U.S.C. 371-(PCT/DO/EO/905) mailed June 1, 1999. A copy of the Notice is enclosed.

Below is a Statement by the undersigned registered agent that the application filed in the PCT is the application which the inventor executed by signing the attached Declaration.

I. DECLARATION OR OATH

A Declaration was filed with the original application but was not executed. Enclosed is a Declaration (with original signatures) for this application.

II. SMALL ENTITY STATUS

A Verified Statement that this filing is by a small entity was filed with the original application but not executed. Enclosed is a signed Verified Statement by the assignee for this application. A copy of the Assignment is also enclosed.

III. COMPLETION FEES

Surcharge fees: Late filing of original Declaration or Oath per 37 C.F.R. §1.16(e) - \$130.00; small entity - \$65.00. Total completion fees is \$65.00.

IV. EXTENSION OF TIME

An extension of time for the filing of this completion document is not required.

V. TOTAL FEES DUE

Completion fee	\$65.00
Extension Fee (if any)	<u>\$ 0.00</u>
Total fees due	<u>\$65.00</u>

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

VI. PAYMENT OF FEES

Enclosed is a check in the amount of \$65.00 to cover Completion and Extension Fees.

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper during the pendency of this application to Account No. 10-0447.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation

July 1, 1999

Date

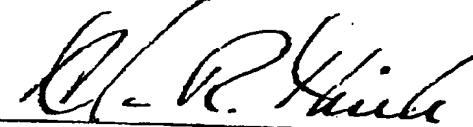


Alan R. Thiele
Reg. No. 30,694
Patent Attorney
Tele: (Voice) (210) 246-5657
(Facsimile) (210) 246-5999

STATEMENT BY AGENT THAT APPLICATION FILED IN PATENT & TRADEMARK OFFICE IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION

I hereby state that I am an agent for this application and that the application identified above is the application which the inventor executed by signing the Declaration that is being submitted herewith.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation



Alan R. Thiele, Reg. No. 30,694

DOCKET NO.: 34703.00006

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type: National Stage of PCT.

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FAN ROTOR, the specification of which:

x is attached hereto.

— was filed on _____ as PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Country: Great Britain
Application No.: 9622361.5
Filed: 28 October 1996

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT International application (s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or prior PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which occurred between

the filing date of the prior application and the national or PCT international filing date of this application:

PCT INTERNATIONAL APPLICATION

Application No. Filed

PCT/GB97/02940

27 October 1997

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

JEFFERY E. BACON Reg. No. 35,055
THOMAS L. CANTRELL Reg. No. 20,849
THOMAS L. CRISMAN Reg. No. 24,846
STUART D. DWORK Reg. No. 31,103
H. MATHEWS GARLAND Reg. No. 19,129
J. KEVIN GRAY Reg. No. 37,141
STEVEN R. GREENFIELD Reg. No. 38,166
KEVIN HANSBRO Reg. No. 38,485
PAT HEPTIG Reg. No. 40,643
CRAIG A. HOERSTEN Reg. No. 38,917
JOHN R. KIRK JR. Reg. No. 24,477
PETER J. MANSO Reg. No. 32,264
ROGER L. MAXWELL Reg. No. 31,855
ROBERT A. McFALL Reg. No. 28,968
LISA H. MEYERHOFF Reg. No. 36,869
STANLEY R. MOORE Reg. No. 26,958
RICHARD J. MOURA Reg. No. 34,883
MARK V. MULLER Reg. No. 37,509
P. WESTON MUSSELMAN JR. Reg. No. 31,644
ALAN R. THIELE Reg. No. 30,694
TAMSEN VALOIR Reg. No. 41,417
RAYMOND VAN DYKE Reg. No. 34,746
BRIAN D. WALKER Reg. No. 37,751
GERALD T. WELCH Reg. No. 30,332

of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799

and

Address all telephone calls and correspondence to:

Alan R. Thiele
 Jenkens & Gilchrist, P.C.
 3200 Fountain Place
 1445 Ross Avenue
 Dallas, Texas 75202-2799
 Telephone: (210) 246-5657
 Facsimile: (210) 246-5999

Atty. Docket No. 34703.00006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	David Fenner	<i>David Fenner</i>	25/5/99
	First Name	Inventor's Signature	Date
1	Residence	Beeches, Durley Brook Road, Durley Southampton, Hampshire, SO32 2AR UK	Citizenship
	Post Office Address	As Above	
	Christopher Lack	<i>Christopher Lack</i>	25/5/99
	Full Name	Inventor's Signature	Date
2	Residence	64 Woodham Park Road, Woodham Nr. Weybridge, Surrey, KT15 3SP UK	Citizenship
	Post Office Address	As Above	

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket Number (Optional)
34703-00006

Applicant, Patentee, or Identifier: David Fenner, et al.

Application or Patent No.: 09/269,518

Filed or Issued: April 2, 1999

Title: FAN ROTOR

I hereby state that I am

- the owner of the small business concern identified below.
- an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Elta Fans Limited

ADDRESS OF SMALL BUSINESS CONCERN 15 Barnes Wallis Road, Segensworth
East Industrial Estate, Fareham, Hants PO155BT

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
- each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

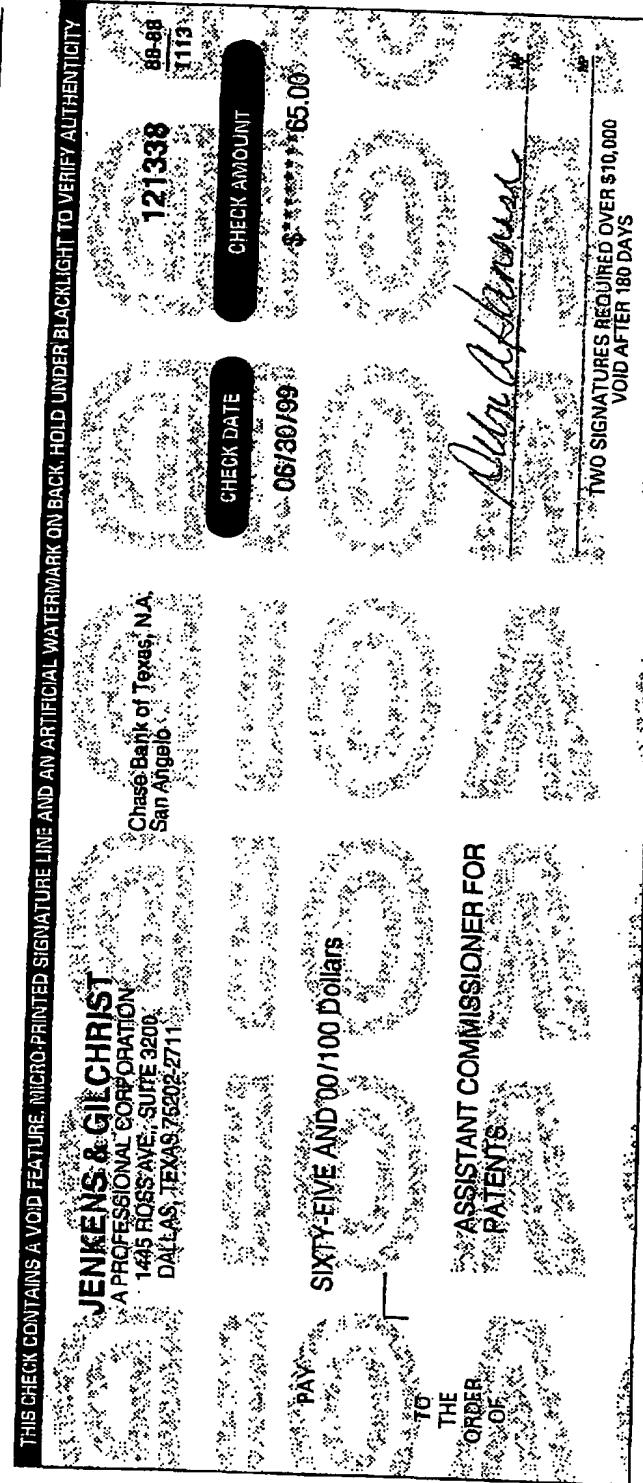
NAME OF PERSON SIGNING David Peter Fenner

TITLE OF PERSON IF OTHER THAN OWNER Engineering Director

ADDRESS OF PERSON SIGNING Beeches, Durley Brook Road, Durley, Southampton
Hants, SO32 2AR U.K.

SIGNATURE David Peter Fenner DATE 25-5-99

DATE	INVOICE	DESCRIPTION	AMOUNT
07-01-99	34703 6/THIELE	PCT FILING FEE FOR OATH OR DECLARATION	65.00



"121338 06/30/99 65.00"

E STAMP OF THE PATENT OFFICE, PLACED HERE, ACKNOWLEDGES RECEIPT OF:

Applicant: Daniel Fenner et al.
 Attorney/Agent: Alan J. Thiele
 Serial No.: 09/269131 Atty. Docket No.: 34703-00056
 Date Mailed: 7/1/99 Due: 7/1/99

<input type="checkbox"/> Affidavit or <input type="checkbox"/> Declaration	<input type="checkbox"/> Amendment/Response To Office Action
<input type="checkbox"/> Application for Patent including	<input type="checkbox"/> Brief, <u> </u> copies
<u> </u> pages spec., <u> </u> pages claims	<input type="checkbox"/> Assignment, check for \$ <u> </u>
<input checked="" type="checkbox"/> Declaration or <input checked="" type="checkbox"/> Oath w/Power of Attorney	<input type="checkbox"/> Assignment Recordation Cover Sheet
<input type="checkbox"/> Application for Intent-To-Use TM/SM	<input type="checkbox"/> Power of Attorney by Assignee
<input type="checkbox"/> Application for TM/SM Reg. w/specimens	<input type="checkbox"/> Certificate of Mailing Under 37 CFR 1.8(a)
<input checked="" type="checkbox"/> Certificate of Express Mail 37 CFR 1.10	<input type="checkbox"/> Declaration of Attorney
Express Mail No. <u>F6357377986US</u>	<input type="checkbox"/> Drawings: <u> </u> sheets
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Formal or <input type="checkbox"/> Informal
<input type="checkbox"/> PTO Form 1449, <u> </u> references	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Reg. for Filing <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional	<input type="checkbox"/> Petition for Extension of Time <u> </u> months
Application Under 37 CR 1.60	<input type="checkbox"/> with check for \$ <u> </u>
<input type="checkbox"/> Verified Statement to Establish Small Entity Status	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Postcard	<input checked="" type="checkbox"/> Transmittal Letter
<input checked="" type="checkbox"/> Check for \$ <u>65.00</u>	<input type="checkbox"/> Other: <u> </u>

 EXPRESS MAIL <small>UNITED STATES POSTAL SERVICE/USPS</small>		 1357877986US																																																									
POST OFFICE TO ADDRESSEE																																																											
																																																											
Customer Copy <small>Label 11-F Date 11-F July 1999</small>																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> SHIPPER (POSTAL USE ONLY) </td> <td colspan="2" style="text-align: right; padding: 5px;"> POSTAGE </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> ZIP Code <input type="text" value="78205"/> </td> <td colspan="2" style="text-align: right; padding: 5px;"> <input type="checkbox"/> Flat Rate Envelope <input type="checkbox"/> Next Day <input type="checkbox"/> Second Day </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> Delivery Day <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday </td> <td colspan="2" style="text-align: right; padding: 5px;"> Postage <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM \$ <u>1.75</u> </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> Accepted by: <input type="checkbox"/> Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day </td> <td colspan="2" style="text-align: right; padding: 5px;"> Return Receipt Fee <input type="checkbox"/> </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> Int'l Alpha/Country Code <input type="checkbox"/> </td> <td colspan="2" style="text-align: right; padding: 5px;"> COD Fee <input type="checkbox"/> </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> Delivery Address <input type="checkbox"/> </td> <td colspan="2" style="text-align: right; padding: 5px;"> Insurance Fee <input type="checkbox"/> </td> </tr> <tr> <td colspan="2" style="text-align: left; padding: 5px;"> Delivery Date <input type="checkbox"/> </td> <td colspan="2" style="text-align: right; padding: 5px;"> Total Postage & Fees \$ <u>1.75</u> </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> TO: PLEASE PRINT <small>13 F 21 T</small> </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> FROM: PLEASE PRINT <small>13 F 21 T</small> </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> JENKINS & GILCHRIST 1800 FROST BANK TOWER 100 W. HOUSTON ST. SAN ANTONIO, TX 78205-1452 </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231 </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> PRESS HARD. <small>You are making 3 copies.</small> </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;"> FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.GOV </td> </tr> </table>				SHIPPER (POSTAL USE ONLY)		POSTAGE		ZIP Code <input type="text" value="78205"/>		<input type="checkbox"/> Flat Rate Envelope <input type="checkbox"/> Next Day <input type="checkbox"/> Second Day		Delivery Day <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Postage <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM \$ <u>1.75</u>		Accepted by: <input type="checkbox"/> Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		Return Receipt Fee <input type="checkbox"/>		Int'l Alpha/Country Code <input type="checkbox"/>		COD Fee <input type="checkbox"/>		Delivery Address <input type="checkbox"/>		Insurance Fee <input type="checkbox"/>		Delivery Date <input type="checkbox"/>		Total Postage & Fees \$ <u>1.75</u>		SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE				TO: PLEASE PRINT <small>13 F 21 T</small>				FROM: PLEASE PRINT <small>13 F 21 T</small>				JENKINS & GILCHRIST 1800 FROST BANK TOWER 100 W. HOUSTON ST. SAN ANTONIO, TX 78205-1452				ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231				PRESS HARD. <small>You are making 3 copies.</small>				FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.GOV			
SHIPPER (POSTAL USE ONLY)		POSTAGE																																																									
ZIP Code <input type="text" value="78205"/>		<input type="checkbox"/> Flat Rate Envelope <input type="checkbox"/> Next Day <input type="checkbox"/> Second Day																																																									
Delivery Day <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Postage <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM \$ <u>1.75</u>																																																									
Accepted by: <input type="checkbox"/> Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		Return Receipt Fee <input type="checkbox"/>																																																									
Int'l Alpha/Country Code <input type="checkbox"/>		COD Fee <input type="checkbox"/>																																																									
Delivery Address <input type="checkbox"/>		Insurance Fee <input type="checkbox"/>																																																									
Delivery Date <input type="checkbox"/>		Total Postage & Fees \$ <u>1.75</u>																																																									
SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE																																																											
TO: PLEASE PRINT <small>13 F 21 T</small>																																																											
FROM: PLEASE PRINT <small>13 F 21 T</small>																																																											
JENKINS & GILCHRIST 1800 FROST BANK TOWER 100 W. HOUSTON ST. SAN ANTONIO, TX 78205-1452																																																											
ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231																																																											
PRESS HARD. <small>You are making 3 copies.</small>																																																											
FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.GOV																																																											

INTELLECTUAL PROPERTY

JUL 19 1999

JENKENS & GILCHRIST

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Applicant: David Fender, et al.
 Attorney/Agent: Adam B. Thiele
 Serial No.: 09/269,515 Atty. Docket No.: 34703-00006
 Date Mailed: 7/1/99 Due: 7/1/99

Affidavit or Declaration
 Application for Patent including _____
 _____ pages spec., _____ pages claims
 Declaration or Cert w/Power of Attorney
 Application for Intent-To-Use TMs/SM
 Application for TMs/SM Reg. w/specimens
 Certificate of Express Mail 37 CFR 1.10
 Express Mail No. 1625737798605
 Information Disclosure Statement
 PTO Form 1449, _____ references
 Power of Attorney
 Reg. for Filing Continuation Divisional
 Application Under 37 CFR 1.60
 Verified Statement to Establish Small Entity Status
 Postcard
 Check for \$ 65.00

Amendment/Response To Office Action
 Brief, _____ copies
 Assignment, check for \$ _____
 Assignment Recordation Cover Sheet
 Power of Attorney by Assignee
 Certificate of Mailing Under 37 CFR 1.8(a)
 Declaration of Attorney
 Drawings: _____ sheets
 Form or Informal
 Issue Fee Transmittal
 Notice of Appeal
 Petition for Extension of Time (____) months
 with check for \$ _____
 Priority Document
 Transmittal Letter
 Other: _____



* DOCKETED
 Int: K11 DT: 7-21-99
 Action: Complete Date: 7-2
 Small Entity
 Missing Part(s)

Express Mail Label No. EL 596 200 659 US

Practitioner's Docket No. 34703.00006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David FENNER, et al.

EL 596 200 659 US

Application No. 09/269,518

Group No. (Unknown)

Filed: April 2, 1999

Examiner: (Unknown)

For: Fan Rotor

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: PCT Legal Department

Dear Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Applicants request withdrawal of the holding of abandonment of the above-identified application based on fact that a response to the notification of Missing Requirements (Form PCT/DO/BO/905) was filed on July 1, 1999.

CERTIFICATION OF EXPRESS MAILING

I hereby certify that this Petition to Withdraw Holding of Abandonment and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date July 3, 2000, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL 596 200 659 US, addressed to the: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, Attn: PCT Legal Department.

A. M. (Andy) Arismendi, Jr.
(type or print name of person mailing paper)


Signature of person mailing paper

W&R00021 34703-00006

Petition to Withdrawal of Holding of Abandonment - Page 1 of 3

Express Mail Label No. EL 596 200 659 US

The application was filed April 2, 1999 by Mr. Alan Thiele of Jenkens & Gilchrist.

On June 1, 1999, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed from the USPTO (copy attached as "A").

On June 7, 1999, it was received by Jenkens & Gilchrist in its Dallas office together with a Notification of Defective Oath or Declaration (Form PCT/DO/EO/917) (copy attached as "B").

On July 1, 1999, Mr. Thiele filed a response (copy attached as "C") to the notification of Missing Requirements together with the executed declaration and the completion fee. This response was filed by Express Mail. A copy of the return postcard (received by Jenkens & Gilchrist on July 19, 1999) is also included herewith as "D".

On July 27, 1999, this case was transferred from Jenkens & Gilchrist to Mr. Arismendi for further prosecution on instructions of the client. (Copy of the transfer letter attached as "E".)

On March 27, 2000, the Notification of Abandonment (Copy attached as "F") was mailed to the Dallas office of Jenkens & Gilchrist.

On March 30, 2000, it was received by Jenkens & Gilchrist in Dallas.

On June 27, 2000, it was forwarded to Mr. Arismendi.

On June 30, 2000, it was received by Mr. Arismendi.

On July 3, 2000, Mr. Arismendi filed this Petition.

A copy of the docket report printed on July 22, 1999 (copy attached as "G") reflects the filing of the response to the notice to file missing parts (i.e., notification of Missing Requirements) on July 1, 1999.

Accordingly, in view of the foregoing and the fact that a response was timely filed, Applicants respectfully request that the holding of abandonment be withdrawn.

Express Mail Label No. EL 596 200 659 US

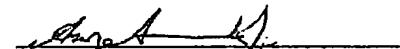
CHANGE OF CORRESPONDENCE ADDRESS

Please send all correspondence to:

A.M. (Andy) Arismendi, Jr.
Lundeen & Arismendi, LLP
P.O. Box 131144
Houston, Texas 77219-1144

Ph: 713-652-2555
Fax: 713-652-2556

Respectfully submitted,



A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

Lundeen & Arismendi, LLP
P.O. Box 131144
Houston, Texas 77219-1144

Ph: 713-652-2555
Fax: 713-652-2556

Date: July 3, 2000

A



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark

Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269,518	FENNER	D 34703-00006
		INTERNATIONAL APPLICATION NO.
5611		PCT/GB97/02940
		I.A. FIJNO DATE PRIORITY DATE
		10/27/97 10/03/96
		DATE MAILED: 06/01/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the International application in:

- a non-English language.
- English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 02 Apr 1999 and * DOCKETED

Information Disclosure Statement(s) filed _____ and Int. 111 DT: 6-7-99

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____.

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surecharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

INTELLECTUAL PROPERTY

JUN 07 1999

JENKENS & GILCHRIST

* DOCKETED

INT. 111 DT: 6-7-99

NMM

Action ~~Completed~~ Date: 6-1

Missing parts due 7-1-99

(B

9/26/97



Patent and Trademark Office
Address: ASSISTANT COMPTON FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/269,518		FENNER	D 34703-00006
		5611	INTERNATIONAL APPLICATION NO.
		INTELLECTUAL PROPERTY	PCT/GB97/02940
		JUN 07 1999	I.A. FILING DATE
		JENKENS & GILCHRIST	PRIORITY DATE
			10/27/97 10/03/96
			06/01/99
DATE MAILED:			

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. does not identify the specification to which it is directed.
3. does not identify the inventor(s).
4. does not identify the citizenship of each inventor.
5. does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. does not identify the city and state or city and foreign country of residence or each inventor.
2. does not state that the person making the oath or declaration:
 - a. has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which

(c)

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Fenner, et al.) Group Art Unit:
)
Application No. 09/296,518)
)
Filed: April 2, 1999) Examiner: (unassigned)
)
Title: FAN ROTOR)
Attorney Docket No. 34703.00006)

E1357877986US

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

**CERTIFICATE OF MAILING BY EXPRESS MAIL
UNDER 37 CFR 1.10**

I hereby certify that this paper or file is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service, "EXPRESS MAIL" Mailing Label No. E1357877986US on the date indicated below and is addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: July 1, 1999

Attn: Attn: CPTM B. Registration No. 304694

Attn: Attn: CPTM B. Registration No. 304694


Signature

Serial Number: 09/269,518
Inventor: Penner, et al.
Atty. Docket No. 34703.00006

Sir:

This reply is to a Notification of Missing Requirements under 35. U.S.C. 371-(PCT/DO/EO/905) mailed June 1, 1999. A copy of the Notice is enclosed.

Below is a Statement by the undersigned registered agent that the application filed in the PCT is the application which the inventor executed by signing the attached Declaration.

I. DECLARATION OR OATH

A Declaration was filed with the original application but was not executed. Enclosed is a Declaration (with original signatures) for this application.

II. SMALL ENTITY STATUS

A Verified Statement that this filing is by a small entity was filed with the original application but not executed. Enclosed is a signed Verified Statement by the assignee for this application. A copy of the Assignment is also enclosed.

III. COMPLETION FEES

Surcharge fees: Late filing of original Declaration or Oath per 37 C.F.R. §1.16(e) - \$130.00; small entity - \$65.00. Total completion fees is \$65.00.

IV. EXTENSION OF TIME

An extension of time for the filing of this completion document is not required.

V. TOTAL FEES DUE

Completion fee	\$65.00
Extension Fee (if any)	<u>\$ 0.00</u>
Total fees due	<u>\$65.00</u>

Serial Number: 09/269,518
Inventor: Fenner, et al.
Atty. Docket No. 34703.00006

VI. PAYMENT OF FEES

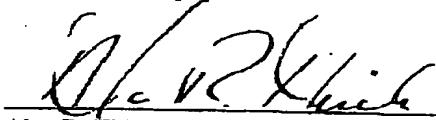
Enclosed is a check in the amount of \$65.00 to cover Completion and Extension Fees.

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper during the pendency of this application to Account No. 10-0447.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation

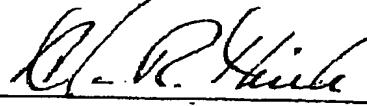
July 1, 1999
Date


Alan R. Thiele
Reg. No. 30,694
Patent Attorney
Tele: (Voice) (210) 246-5657
(Facsimile) (210) 246-5999

**STATEMENT BY AGENT THAT APPLICATION FILED
IN PATENT & TRADEMARK OFFICE IS THE ONE
INVENTOR EXECUTED BY SIGNING DECLARATION**

I hereby state that I am an agent for this application and that the application identified above is the application which the inventor executed by signing the Declaration that is being submitted herewith.

Respectfully submitted,
JENKENS & GILCHRIST
A Professional Corporation


Alan R. Thiele, Reg. No. 30,694

DOCKET NO.: 34703.00006

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type: National Stage of PCT.

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FAN ROTOR, the specification of which:

x is attached hereto.

— was filed on _____ as PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Country: Great Britain
Application No.: 9622361.5
Filed: 28 October 1996

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT International application (s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or prior PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which occurred between

the filing date of the prior application and the national or PCT international filing date of this application:

PCT INTERNATIONAL APPLICATION

Application No. Filed
PCT/GB97/02940 27 October 1997

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

JEFFERY E. BACON Reg. No. 35,055
THOMAS L. CANTRELL Reg. No. 20,849
THOMAS L. CRISMAN Reg. No. 24,846
STUART D. DWORK Reg. No. 31,103
H. MATHEWS GARLAND Reg. No. 19,129
J. KEVIN GRAY Reg. No. 37,141
STEVEN R. GREENFIELD Reg. No. 38,166
KEVIN HANSBRO Reg. No. 38,485
PAT HEPTIG Reg. No. 40,643
CRAIG A. HOERSTEN Reg. No. 38,917
JOHN R. KIRK JR. Reg. No. 24,477
PETER J. MANSO Reg. No. 32,264
ROGER L. MAXWELL Reg. No. 31,855
ROBERT A. McFALL Reg. No. 28,968
LISA H. MEYERHOFF Reg. No. 36,869
STANLEY R. MOORE Reg. No. 26,958
RICHARD J. MOURA Reg. No. 34,883
MARK V. MULLER Reg. No. 37,509
P. WESTON MUSSelman JR. Reg. No. 31,644
ALAN R. THIELE Reg. No. 30,694
TAMSEN VALOIR Reg. No. 41,417
RAYMOND VAN DYKE Reg. No. 34,746
BRIAN D. WALKER Reg. No. 37,751
GERALD T. WELCH Reg. No. 30,332

of the firm of JENKENS & GILCHRIST, P.C., 3200 Fountain Place, 1445 Ross Avenue,
Dallas, Texas 75202-2799

and

Address all telephone calls and correspondence to:

Alan R. Thiele
 Jenkens & Gilchrist, P.C.
 3200 Fountain Place
 1445 Ross Avenue
 Dallas, Texas 75202-2799
 Telephone: (210) 246-5657
 Facsimile: (210) 246-5999

Atty. Docket No. 34703.00006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1		David Fenner First Name	<i>David Fenner</i> Inventor's Signature	25/5/99 Date
		Residence	Beeches, Durley Brook Road, Durley Southampton, Hampshire, SO32 2AR UK	
		Post Office Address	As Above	
2		Christopher Lack Full Name	<i>Christopher Lack</i> Inventor's Signature	25/5/99 Date
		Residence	64 Woodham Park Road, Woodham Nr. Weybridge, Surrey, KT15 3SP UK	
		Post Office Address	As Above	

#

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

Docket Number (Optional)
34703-00006

Applicant, Patentee, or Identifier: David Fenner, et al.

Application or Patent No.: 09/269,518

Filed or Issued: April 2, 1999

Title: FAN ROTOR

I hereby state that I am

the owner of the small business concern identified below.
 an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Elta Fans Limited

ADDRESS OF SMALL BUSINESS CONCERN 15 Barnes Wallis Road, Segensworth
East Industrial Estate, Fareham, Hants PO155BT

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:
 no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING David Peter Fenner

TITLE OF PERSON IF OTHER THAN OWNER Engineering Director

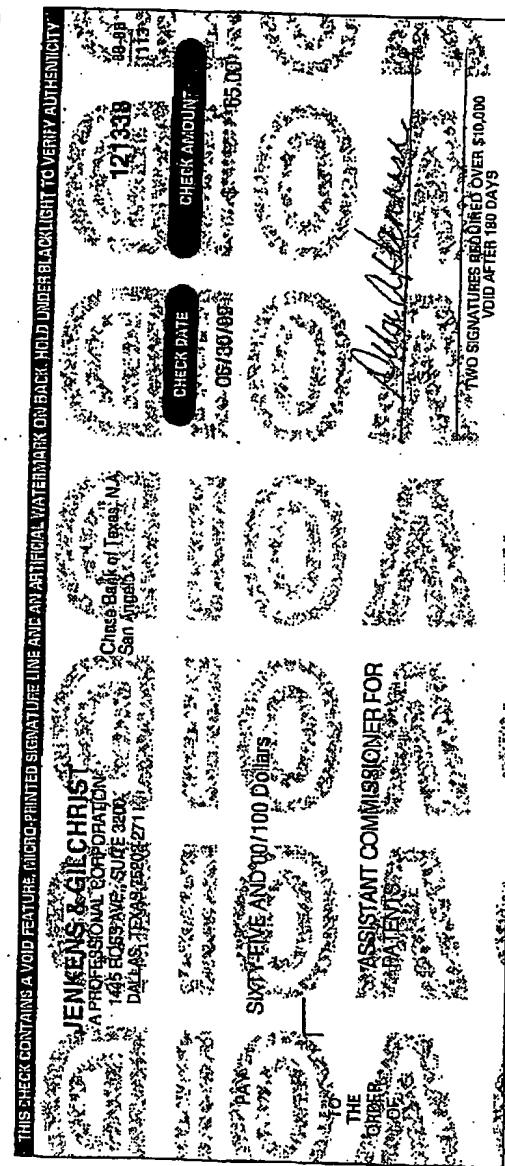
ADDRESS OF PERSON SIGNING Beeches, Durley Brook Road, Durley, Southampton
Hants, SO32 2AR U.K.

SIGNATURE David Peter Fenner DATE 25-5-99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Jenkens & Gilchrist

DATE	NAME	DESCRIPTION	AMOUNT	NO.
07-01-99	34703 6/THIELE	REG. FILING FEE FOR OATH OR DECLARATION	65.00	121338



#121338# 111300880: #0630004321#

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Applicant: David Franner et al.
 Attorney/Agent: Attn: 2a. Twinkie
 Serial No.: 09/12695191 Atty. Docket No.: 34703-422016
 Date Mailed: 7/1/99 Due: 7/1/99

Affidavit or Declaration
 Application for Patent including _____ pages spec., _____ pages claims
 Declaration or Oath w/Power of Attorney
 Application for Intent-To-Use TM/SM
 Application for TM/SM Reg. w/specimens
 Certificate of Express Mail 37 CFR 1.10
 Express Mail No. (EL357377956)
 Information Disclosure Statement
 PTO Form 1449, _____ references
 Power of Attorney
 Reg. for Filing Continuation Divisional Application Under 37 CR 1.60
 Verified Statement to Establish Small Entity Status
 Postcard
 Check for \$ 65.00

Amendment/Response To Office Action
 Brief, _____ copies
 Assignment, check for \$ _____
 Assignment Recordation Cover Sheet
 Power of Attorney by Assignee
 Certificate of Mailing Under 37 CFR 1.8(a)
 Declaration of Attorney
 Drawings: _____ sheets
 Formal or Informal
 Issue Fee Transmittal
 Notice of Appeal
 Petition for Extension of Time (____) months
 with check for \$ _____
 Priority Document
 Transmittal Letter
 Other: _____

EL357377956US

EXPRESS MAIL

UNITED STATES POSTAL SERVICE

POST OFFICE TO ADDRESS SEE

SEE REVERSE SIDE FOR SERVICE GUARANTEE AND MAIL INSURANCE COVERAGE

CUSTOMER COPY

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

348

349

350

351

352

353

354

355

356

357

358

359

360

361

362

363

364

365

366

367

368

369

370

371

372

373

374

375

376

377

378

379

380

381

382

383

384

385

386

387

388

389

390

391

392

393

394

395

396

397

398

399

400

401

402

403

404

405

406

407

408

409

410

411

412

413

414

415

416

417

418

419

420

421

422

423

424

425

426

427

428

429

430

431

432

433

434

435

436

437

438

439

440

441

442

443

444

445

446

447

448

449

450

451

452

453

454

455

456

457

458

459

460

461

462

463

464

465

466

467

468

469

470

471

472

473

474

475

476

477

478

479

480

481

482

483

484

485

486

487

488

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

508

509

510

511

512

513

514

515

516

517

518

519

520

521

522

523

524

525

526

527

528

529

530

531

532

533

534

535

536

537

538

539

540

541

542

543

544

545

546

547

548

549

550

551

552

553

554

555

556

557

558

559

560

561

562

563

564

565

566

567

568

569

570

571

572

573

574

575

576

577

578

579

580

581

582

583

584

585

586

587

588

589

590

591

592

593

594

595

596

597

598

599

600

601

602

603

604

605

606

607

608

609

610

611

612

613

614

615

616

617

618

619

620

621

622

623

624

625

626

627

628

629

630

631

632

633

634

635

636

637

638

639

640

641

642

643

644

645

646

647

648

649

650

651

652

653

654

655

656

657

658

659

660

661

662

663

664

665

666

667

668

669

670

671

672

673

674

675

676

677

678

679

680

681

682

683

684

685

686

687

688

689

690

691

692

693

694

695

696

697

698

699

700

701

702

703

704

705

706

707

708

709

710

711

712

713

714

715

716

717

718

719

720

721

722

723

724

725

726

727

728

729

730

731

732

733

734

735

736

737

738

739

740

741

742

743

744

745

746

747

748

749

750

751

752

753

754

755

756

757

758

759

760

761

762

763

764

765

766

767

768

769

770

771

772

773

774

775

776

777

778

779

780

781

782

783

784

785

786

787

788

789

790

791

792

793

794

795

796

797

798

799

800

801

802

803

804

805

806

807

808

809

810

811

812

813

814

815

816

817

818

819

820

821

822

823

824

825

826

827

828

829

830

831

832

833

834

835

836

837

838

839

840

841

842

843

844

845

846

847

848

849

850

851

852

853

854

855

856

857

858

859

860

861

862

863

864

865

866

867

868

869

870

871

872

873

874

875

876

877

878

879

880

881

882

883

884

885

886

887

888

889

890

891

892

893

894</

(D)

INTELLECTUAL PROPERTY

JUL 19 1999

JENKENS & GILCHRIST

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Applicant: David E. Conner, et al.
Attorney/Agent: Robert R. Thiele
Serial No.: 09/26215185 Any. Docket No.: 34703-00006
Date Mailed: 7/1/99 Due: 7/1/99

Affidavit or Declaration Amendment/Response To Office Action
 Application for Patent including Brief, copies
 pages spec., Assignment, check for \$
 Declaration or Oath w/Power of Attorney Assignment Recordation Cover Sheet
 Application for Intent-To-Use TM/SM Power of Attorney by Assignee
 Application for TM/SM Reg. w/specimens Certificate of Mailing Under 37 CFR 1.8(a)
 Certificate of Express Mail 37 CFR 1.10 Declaration of Attorney
Express Mail No. ELB573779865 Drawings: sheets
 Information Disclosure Statement Formal or Informal
 PTO Form 1449, references Issue Fee Transmittal
 Power of Attorney Notice of Appeal
 Reg. for Filing Continuation Divisional Petition for Extension of Time months
Application Under 37 CFR 1.60 with check for \$
 Verified Statement to Establish Small Entity Status Priority Document
 Postcard Transmittal Letter
 Check for \$ 65.00 Other:



* DOCKETED
Int: K11 DT: 7-21-99
Action Complete Date: 7-2
Small Entity
Missing Party

(ε

Jenkens & Gilchrist
A PROFESSIONAL CORPORATION

1800 FROST BANK TOWER
100 WEST HOUSTON STREET
SAN ANTONIO, TEXAS 78205

(210) 248-6000
TELECOPIER (210) 248-5998
WWW.JENKENS.COM

WRITER'S DIRECT DIAL NUMBER
(210) 248-5389

AUSTIN, TEXAS
(512) 469-2000
DALLAS, TEXAS
(214) 828-2000
HOUSTON, TEXAS
(713) 657-3200
LOS ANGELES, CALIFORNIA
(310) 832-4000
WASHINGTON, D.C.
(202) 826-1500
Affiliate Office
CHICAGO, ILLINOIS
(312) 215-0000

July 27, 1999

VIA LONE STAR OVERNIGHT

Mr. Andy M. Arismendi, Jr.
Sroufe, Payne, Lundein & D'Ambrosio, LLP
1700 West Loop Street
Suite 1230
Houston, Texas 77027

Re: Transfer of Withers & Rogers Files

Dear Mr. Arismendi:

Enclosed, in accordance with Withers & Rogers request dated July 15, 1999, are the patent files which are listed as follows:

J&G REF. No.	DESCRIPTION	STATUS
34703-00002	PCT No. PCT/GB96/01965; U.S. Serial No. 09/011434 Filed: 02/10/97 Title: <i>Fluid Impeller</i>	Waiting for Notice to File Missing Parts
34703-00006	PCT No. PCT/GB97/02940; U.S. Serial No.: 09/269518 Filed: 04/02/99 Title: <i>Fan Rotor</i>	IDS is now due; Waiting for Notice to File Missing Parts

Along with the files, I have attached an Acknowledgment of Receipt. Please sign and return the Acknowledgment of Receipt at your earliest convenience.

Cordially,


Lisa Gentry,
Legal Secretary to Alan R. Thiele

(F

09/269518



UNITED STATES GOVERNMENT OF COMMERCE
 Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 BOX PCT
 Washington, D.C. 20231

US APPLICATION NO. 918

FENNERT NAMED APPLICANT

ATTY. DOCKET NO. 00006

ALAN R THIELE 5071
 JENKENS & GILCHRIST INTELLECTUAL PROPERTY
 3200 FOUNTAIN PLACE
 1445 ROSS AVENUE MAR 30 2000
 DALLAS TX 75202 JENKENS & GILCHRIST

INTERFRIEND, ADAMANTOR 802940

IA FILED 3/27/00 PRIORITY 03/23/96

03/27/00

DATE MAILED:

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as
 a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495), has made the following determination:

1. Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
2. Applicant has failed to provide the full U. S. Basic National Fee by 20 months (37 CFR 1.494 (b)(2)), 30 months (37 CFR 1.495 (b)(2)).
3. Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/BO/905), mailed 01 June 1999 within the time period set therein.
4. Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
5. Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

Robert Hunter
 Second Stage Processing
 703-305-1000

Telephone: (703)

(4)

Patent Record Summary Sheet

As Of: 07-22-1999 11:57:53 Printed: 07-22-1999

Created: 03/17/1999 Last Updt: 07/21/1999 By: KKH

Docket #: 34703-00006USPX	Country : US	Client : WAR - Withers & Rogers
Case Type : Regular		Owner : INVT - INVENTORS/APPLICANTS
Relationship : Original Filing	Status : 200/300 - Filed	Group :
Filing Type : National	Sub-Status : 210/310 - Filed Applia	Agent :
Filing # :	SubStat Dt: 04/02/1999	Agt Ref # :
Convention :		Dev. Atty : ART Assignment :
Parent Ctry : WO	1st Filed : 10/28/1998	Resp. Atty : ART Claims : 20
Parent #: PCT/GB97/02940	Parent Dt : 10/27/1997	Work. Atty: ART Paralegal :
Application #: 09/269518	Filed Dt : 04/02/1999	Expires :
Patent # :	Grant Dt :	Next Tax :
Publication # :	Pub Dt :	Tax Base :

Title: FAN ROTOR

Pending Actions :

Action Due	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
STATUS-FILING RECEIPT?	10/02/1999			
STATUS-REJECTION RESPONSE?	10/02/2000			

Taken Actions (awaiting confirmation) :

Action	Taken	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
SMALL ENTITY STATUS	07/01/1999				

Completed Actions :

Action	Completed	Taken	Due Date	IP Clerk 1	IP Clerk 2	Action Notes
Notice of Missing Parts Filed	07/02/1999	07/01/1999	07/01/1999			
Notice of Missing Parts Mail Date	06/01/1999		05/01/1999			
NATIONAL APPLICATION HAS BEEN	04/02/1999	04/02/1999	04/03/1999			
Preliminary Amendment	04/02/1999	04/02/1999				
No Foreign Filing	10/28/1998					

User Text:

Other Code : Other # :

Inventors: Fenner, David

I-Pam System

DOCKET NO.: 34723 0006/Ana
SERIAL NO.: 09/267,517
FILED: AT GL 7, 1999
APPLICANT: DAVID FERNANDEZ ET AL

The Patent & Trademark Office acknowledges receipt of, and has stamped hereon the date of receipt of, the items checked below, which were mailed on: July 3, 2003

Affidavit
 Appeal Notice
 Application: Cover Sheet (pages) Specification (pages)
Claims: (pages) Total Claims Indep. Claims Abstract (pages) oath Declaration
 Sheets of Drawing(s): Formal Informal
 Assignment and Recordation Cover Sheet
 Brief
 Declaration () w/ Power of Attorney
 Inform Disclosure Stmt Form 1449 (with references)
 Issue Fee - Base/Balance Fee for Advance Copy(ies)
 Letter
 Letter, Transmittal
 Letter (Change Deposit Account) 1285/ _____
 Petition _____
 Power of Attorney
 Preliminary Amendment
 Request for Extension of Time
 Response to _____

Specimens _____
 Trademark/Service mark Application (pages)
 Verified Statement of Small Entity Status - Indep Inventor
 Verified Statement of Small Entity Status - Small Business
 Check # _____ in the amount of \$ _____
 Check # _____ in the amount of \$ _____
 Other: Petition to cancel trademark of
 Other: PTIA - PCT/PTO

Express Mail # EL 596 200 659 45

526 REC'D PCT/PTO 08 JUL 2003



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty
Legal Office

Address: Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

27 OCT 2000

A.M. (Andy) Arismendi, Jr.
LUNDEEN & ARISMENDI, LLP
P.O. Box 131144
Houston, Texas 77219-1144

In re Application of
David Peter FENNER, et al.
Application No.: 09/269,518
PCT No.: PCT/GB97/02940
Int. Filing Date: 27 October 1997
Priority Date: 28 October 1996
Attorney Docket No.: 34703.00006
For: FAN ROTOR

DECISION ON
PETITION
UNDER 37 CFR 1.10(e)

This is in response to the "PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT" filed 03 July 2000 and to the communication filed by facsimile on 22 September 2000. Both communications are being treated as a petition under 37 C.F.R. 1.10(e) to accept copies of the papers filed with the petition as being filed originally on 01 July 1999. The petition is GRANTED as follows:

No petition fee is necessary.

37 CFR 1.10(e) provides:

(e) Any person mailing correspondence addressed as set out in § 1.1(a) to the Office with sufficient postage utilizing the "Express Mail Post Office to Addressee" service of the USPS but not received by the Office, may petition the Commissioner to consider such correspondence filed in the Office on the USPS deposit date, provided that:

- (1) The petition is filed promptly after the person becomes aware that the Office has no evidence of receipt of the correspondence;
- (2) The number of the "Express Mail" mailing label was placed on the paper(s)

Serial No. 09/269,518

Page 2

or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail";

(3) The petition includes a copy of the originally deposited paper(s) or fee(s) that constitute the correspondence showing the number of the "Express Mail" mailing label thereon, a copy of any returned postcard receipt, a copy of the "Express Mail" mailing label showing the "date-in," a copy of any other official notation by the USPS relied upon to show the date of deposit, and, if the requested filing date is a date other than the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS, a showing pursuant to paragraph (d)(3) of this section that the requested filing date was the date the correspondence was deposited in the "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day; and

(4) The petition includes a statement which establishes, to the satisfaction of the Commissioner, the original deposit of the correspondence and that the copies of the correspondence, the copy of the "Express Mail" mailing label, the copy of any returned postcard receipt, and any official notation entered by the USPS are true copies of the originally mailed correspondence, original "Express Mail" mailing label, returned postcard receipt, and official notation entered by the USPS.

All of the requirements under 37 CFR 1.10(e) have been submitted. The petition was filed promptly after applicants became aware that the Office had no evidence of receipt of the response to the Notification of Missing Requirements of 01 June 1999. The "Express Mail" mailing label submitted with the petition indicates a stamped date and date-in of 01 July 1999 and bears the same "Express Mail" mailing label number (i.e. "Express Mail" label No. EL357877986US) that appears on the originally deposited Response to Notice to File Missing Parts. The petition is also accompanied by a return postcard receipt showing the communication to have been received in the USPTO on 02 July 2000. Applicants' communication of 22 September 2000 states that "the copies included in the Petition to Withdraw Holding of Abandonment filed July 3, 2000 are true and accurate copies of the Response to the Notification of Missing Requirements filed on July 1, 1999." Accordingly acceptance of papers submitted with the petition as being filed 01 July 1999 is appropriate and the Notification of Abandonment of 27 March 2000 is hereby VACATED.

For the reasons above, the petition under 37 CFR 1.10(e) is GRANTED.

Accordingly, the following items filed 03 July 2000 will be treated as filed on 01 July 1999: 1) response to Notice to File Missing Part, 2) executed declaration; 3) completion fees; and 4) Statement Claiming Small Entity Status.

Serial No. 09/269,518

Page 3

A review of the application file reveals the following:

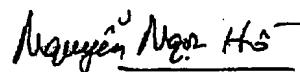
- a) The declaration filed 01 July 1999 is not properly executed and therefore is not in compliance with 37 CFR 1.497. No specification was attached to the declaration as mentioned by applicants therein. Also the declaration does not identify the citizenship of each inventor.
- b) The statement claiming small entity status submitted on 02 April 1999 was not signed, therefore applicants were required to pay the full basic national fee of \$840.00 by 28 April 1999 to avoid abandonment of the application. Since one half of that amount was paid, the remaining portion will be charged to Deposit Account No. 10-0447 as authorized in the Transmittal Letter of 02 April 1999.

The application is being returned to the United States Designated/Elected Office for processing in accordance with this decision, that is a) for charging \$420 to Deposit Account No. 10-0447, and b) for issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) to inform applicants that an oath or declaration in compliance with 37 CFR 1.497 must be submitted in order to avoid abandonment of the application as to the national stage in the United States.



Boris Milef
PCT Legal Examiner
PCT Legal Office

NNH/BM:hn



Nguyễn Ngọc Hô
Paralegal Specialist
PCT Legal Office

Tel: (703) 308-6508

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION:	§	DOCKET NO.: 34703.00006
INVENTOR(S):	§	
David Fenner	§	
Christopher Lack	§	
SERIAL NO.: 09/269,518	§	
FILED: April 2, 1999	§	GROUP ART UNIT: (unknown)
FOR: Fan Rotor	§	EXAMINER: (unknown)

REVOCATION OF POWERS OF ATTORNEY AND
NEW POWER OF ATTORNEY

The Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Dear Sir:

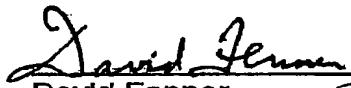
We, the undersigned applicants, hereby revoke any and all previous power(s) of attorney previously given in this case, and hereby appoint, Daniel N. Lundeen, Reg. No. 31,177, A.M. (Andy) Arismendi, Jr., Reg. No. 31,715 and Tim W. Curington, Reg. No. 45,944, of Lundeen & Arismendi, L.L.P., P.O. Box 131144, Houston, Texas 77219-1144, Telephone (713) 652-2555, Facsimile (713) 652-2556, as our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

A.M. (Andy) Arismendi, Jr.
Lundeen & Arismendi, L.L.P.
P.O. Box 131144
Houston, TX 77219-1144
Telephone: (713) 652-2555
Facsimile: (713) 652-2556

Date 21st Sept., 2000

Date: 21st Sept., 2000



David Fenner


Christopher Lack

EXHIBIT 3

Papers submitted 15 June 2001 with Return Postcard:

1. Copy of Notification of Missing Requirements (mailed 15 March 01).
2. Response to Notification of Missing Requirements (Express Mail EL 677 098 461 US)
with one-month extension of time.
 - I. Declaration & Power of Attorney
 - II. Statement Claiming Small Entity Status
 - III. Return Postcard

U9/269518

INTELLECTUAL PROPERTY

MAR 20 2001

JENKENS & GILCHRIST



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231

U.S. APPLICATION NO. 10/272,518

FENNER

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 34703-00006

5611.

INTERNATIONAL APPLICATION NO.

PCT/GB97/02940

LA. FILING DATE

PRIORITY DATE

10/27/97 10/03/96

03/16/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
 - a Designated Office (37 CFR 1.494).
 - an Elected Office (37 CFR 1.495):
 - U.S. Basic National Fee.
 - Copy of the International application in:
 - a non-English language.
 - English.
 - Translation of the International application into English.
 - Oath or Declaration of inventors(s) for DO/EO/US.
 - Copy of Article 19 amendments.
 - Translation of Article 19 amendments into English.
 - The International Preliminary Examination Report in English and its Annexes, if any.
 - Translation of Annexes to the International Preliminary Examination Report into English.
 - Preliminary amendment(s) filed 03/16/1997 and _____.
 - Information Disclosure Statement(s) filed _____ and _____.
 - Assignment document.
 - Power of Attorney and/or Change of Address.
 - Substitute specification filed _____.
 - Statement Claiming Small Entity Status.
 - Priority Document.
 - Copy of the International Search Report and copies of the references cited therein.
 - Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - d. SurchARGE for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875

LAWSON HIGGINS

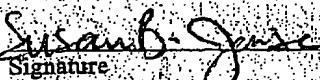
FORM PCT/DO/EO/905 (December 1997)

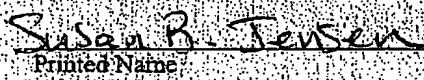
Telephone: (703) 355-3563

(703) 355-3563

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence and the documents identified as enclosed therein are being deposited with the United States Postal Service on this date, June 15, 2001, by Express Mail (Express Mail Label No. EL677098461US), addressed to the Commissioner for Patents, Box PCT, Washington, D.C. 20231.


Signature


Printed Name:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE NATIONAL STAGE APPLICATION OF

David Fenner et al.

FILED: April 2, 1999

TITLE: Fan Rotor

APPLICATION NO.: 09/269,518

ATTY. DKT. NO.: 34703.00006

Commissioner of Patents
Washington, D.C. 20231

EL677098461US

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir:

In response to the Notification of Missing Requirements mailed March 15, 2001 for the above-identified matter, Applicants out of an abundance of caution file herewith the following documents:

1. Declaration and Power of Attorney executed May 30, 2001.
2. Surcharge under 37 CFR 1.492(e) of Sixty-five Dollars (\$65.00). The Commissioner for Patents is authorized to charge this surcharge fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

PETITION FOR EXTENSION OF TIME

Applicants respectfully request a two-month extension of time to and including June 15, 2001, for responding to the Notification of Missing Requirements mailed March 15, 2001, with a shortened statutory period ending April 15, 2001. In accordance to 37 CFR § 1.136(a) and 37 CFR § 1.17(a)(2), a One Hundred Ninety-five Dollars (\$195.00) (small entity status) extension fee is included with this request. The Commissioner for Patents is authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

SMALL ENTITY STATUS

Applicants claim small entity status. Additionally, Elta Fans Limited the assignee of the present application also claims small entity status. A true and accurate copy of the Verification of Small Entity Status previously filed July 1, 1999 is filed herewith.

REQUEST FOR REFUND

Applicants request a refund of the surcharge and extension fees paid as a result of this filing.

Please note that Applicants had previously filed a response to a Notification of Missing Requirements dated mailed June 1, 1999, which included an executed Declaration and Power of Attorney executed May 25, 1999, Verified Statement Claiming Small Entity Status and the Surcharge under 37 CFR 1.492(e). A copy of each of these documents and check together with a copy of the returned postcard were provided as part of the Petition to Withdraw a Holding of Abandonment filed July 3, 2000, which was granted based on the documentation provided by the Decision dated November 2, 2000. An additional copy of these documents was provided by facsimile on March 30, 2001 per request of Mr. Lamont Hunter.

The Declaration and Power of Attorney executed May 30, 2001 reflects the Applicants current representation by counsel of our firm, rather than representation by Applicants prior counsel.

CONCLUSION

In any event, Applicants await their official filing receipt and request that examination proceed on the present application.

Should any fees be due, please charge or credit Deposit Acct. No. 501285/AMA/34703.00006.

Respectfully submitted by,


A.M. (Andy) Arismendi, Jr.
Reg. No. 31,715

A.M. (Andy) Arismendi
Lundeen & Arismendi, LLP
1700 West Loop South, Ste. 1230
Houston, TX 77027
Telephone: 713-652-2555
Facsimile: 713-652-2556

DECLARATION AND POWER OF ATTORNEY

As below named inventor(s), we hereby declare that

Our residence, post office address, and citizenship are as stated below next to our name.

We believe we are the original, first and sole Inventor(s) of the subject matter which is claimed and for which a patent is sought on the Invention entitled: Fan Rotor, the specification of which:

was filed on: April 2, 1999, as National Stage Application Serial No.09/269,518, and amended on April 2, 1999 (Preliminary Amendment).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S):

Priority Claimed Number Country Date Filed
Yes 9622361.5 Great Britain 28 October 1996

We hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) or PCT International applications designating the United States of America listed below, and, Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or prior PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/GB97/02940 27 October 1997 (Status)
(PCT Int'l Appl'n Serial No.) (Filing Date)

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, with full power of substitution and revocation:

<u>Name</u>	<u>Registration No.</u>	<u>Address Telephone Cells and Correspondence to:</u>
Daniel N. Lundein	31,177	A.M. (Andy) Arismendi, Jr.
A.M. (Andy) Arismendi, Jr.	31,715	Lundein & Arismendi, L.L.P.
David B. Dickinson	47,525	P.O. Box 131144
		Houston, Texas 77219-1144
		(713) 652-2555

We hereby declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FIRST NAMED INVENTOR'S FULL NAME: David Fenner

FIRST NAMED INVENTOR'S SIGNATURE:

Date: 30TH MAY 2001

CITIZENSHIP: UK

RESIDENCE ADDRESS: Beeches, Durley Brook Road, Durley, Southampton, Hampshire, SO32 2AR

POST OFFICE ADDRESS: same as above

ADDITIONAL JOINT INVENTOR(S) LISTED ON ATTACHED SHEET: Yes No

FIRST NAMED INVENTOR'S FULL NAME: Christopher Lack

FIRST NAMED INVENTOR'S SIGNATURE: Christopher Lack

CITIZENSHIP: UK

Date: 30th May 2001

RESIDENCE ADDRESS: 64 Woodham Park Road, Woodham Nr. Weybridge, Surrey KT15 3SP

POST OFFICE ADDRESS: same as above

Declaration

-2-

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

Docket Number (Optional)
34703-00006

Applicant, Patentee, or Identifier: David Fenner, et al.

Application or Patent No.: 09/269,518

Filed or Issued: April 2, 1999

Title: FAN ROTOR

I hereby state that I am

the owner of the small business concern identified below.
 an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Elta Fans Limited

ADDRESS OF SMALL BUSINESS CONCERN 15 Barnes Wallis Road, Segensworth
East Industrial Estate, Fareham, Hants PO155BT

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING David Peter Fenner

TITLE OF PERSON IF OTHER THAN OWNER Engineering Director

ADDRESS OF PERSON SIGNING Beeches, Durley Brook Road, Durley, Southampton
Hants, SO32 2AR U.K.

SIGNATURE David Peter Fenner DATE 25-5-99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DOCKET NO. 34703-0766
SERIAL NO. 09/149-518
FILED: April 7, 1999
APPLICANT: [REDACTED]

The Patent & Trademark Office acknowledges receipt of, and has stamped hereon the date of receipt of the items checked below, which were mailed on: [REDACTED]

Affidavit
 Appeal Notice
 Application Cover Sheet (pages) Specification (pages)
Claims: (pages) Total Claims Index Claims
Abstract (pages) Oath Declaration
Sheets of Drawing(s) Formal Informal
 Assignment and Recordation Cover Sheet
 Brief
 Declaration (w/ Power of Attorney
 Inform Disclosure Stmt Form 1449 (with references)
Issue Fee - Base/Balance: Fees for Advance Copies (Yes)
 Letter
 Letter, Transmittal
 Letter (Charge Deposit Account 501285)
 Petition
 Power of Attorney
 Preliminary Amendment
 Request for Extension of Time
 Response to Admonition/Notice of Allowance
 Specimens
Trademark/Service Mark Application (pages)
 Verified Statement of Small Entity Status - Indep Inventor
 Verified Statement of Small Entity Status - Small Business
Check # _____ In the amount of \$ _____
Check # _____ In the amount of \$ _____
Other: _____
Other: _____

Express Mail # EL677698401US

*** RX REPORT ***

RECEPTION OK

TX/RX NO	5306
RECIPIENT ADDRESS	12817544386
DESTINATION ID	
ST. TIME	08/18 11:42
TIME USE	30 ' 57
PGS.	57
RESULT	OK

RECEIVED